DISARMAMENT

A periodic review by the United Nations

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The 1995 Review and Extension Conference of the Nuclear Non-Proliferation Treaty

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Special Feature: Disarmament Week Panel

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The 1995 Review and Extension Conference of the Nuclear Non-Proliferation Treaty

The Outcome of the Conference

Jayantha Dhanapala

The approach to the 1995 Nuclear Non-Proliferation Treaty (NPT) Review and Extension Conference left observers in no doubt of the historical importance of the Conference and the profound significance, for international peace and security, of the decisions to be taken there.

The campaign for an indefinite extension

Long before the preparatory process was formally launched by United Nations General Assembly resolution 47/52 A in 1992, a number of books and articles had been published and strategy sessions in foreign offices, involving decision-making at the highest levels, had commenced in anticipation of the Conference. A series of scenarios were

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This article is based on an address delivered at the United Nations Conference on "Disarmament in the last half century and its future prospects", held in Nagasaki, Japan, from 12 to 16 June 1995.

sketched out predicated on the inevitability of a divisive vote on the Treaty's extension. Accordingly, the campaign trail of the Western nuclear-weapon States and Russia led to the governments of the NPT States parties in an orchestrated effort to persuade them of the merits of voting for an indefinite and unconditional extension of the NPT. The support of the UN Secretary-General was also obtained in this campaign.

Thus the highly charged political nature of the Conference was calibrated at an early stage. It was clearly established as a high-priority foreign policy objective of the Western and Eastern Groups that the 1995 NPT Review and Extension Conference had to end with an indefinite and unconditional extension of the Treaty. After that objective was set, the arguments advanced for this became curiously less important than the gathering in of the required votes. The need for the permanence of the world's most widely subscribed to multilateral disarmament treaty as a strong international legal bulwark against nuclear-weapons proliferation had its intrinsic merits, especially after the revelation of the Iraqi programme and the threat of the Democratic People's Republic of Korea (DPRK) that it would leave the NPT. And yet its persuasive power had also to depend on the record of achievement in other aspects of the Treaty—on nuclear disarmament; on international cooperation in the peaceful uses of nuclear energy; on security assurances for non-nuclear-weapon States; on nuclear-weapon-free zones, especially in the Middle East; on the credibility of safeguards and on other issues, including the universality of the Treaty.

The policy framework for the extension decision

The significant reduction of the awesome nuclear arsenals of the United States and Russia through the intermediate nuclear forces (INF) Treaty and the two Strategic

Arms Reduction Treaties (START I and II) in the process of ending the cold-war arms spiral was an incontrovertible fact. Never mind that we still have more nuclear arms today than when the NPT was first signed—an equally incontrovertible fact that the non-aligned countries and non-governmental organizations (NGOs) kept advancing. Never mind, too, that nuclear weapons remain very much a part of the security doctrines of the nuclear-weapon States, whether as a nuclear deterrent, a weapon of last resort vigorously justified under Article 51 of the United Nations Charter, or a weapon to be re-targeted towards upstart third world potentates.

However, as the six-part series of *Washington Post* articles from 10 to 14 April 1995 revealed, it was the United States policy decision to end nuclear-weapon tests and negotiate a multilateral nuclear-test ban that was crucial. With great intuitive foresight, the United States Arms Control and Disarmament Agency (ACDA) had seized upon the symbol of nuclear disarmament, which had been held aloft by the Non-Aligned Movement (NAM) at all previous NPT review conferences with telling effect. The absence of a comprehensive test-ban treaty (CTBT) signed, sealed and delivered at the 1995 Conference would not be vital as long as there was the irreversible prospect of one in the near term. That prospect was further assured by the strategic United States decision to drop its insistence during the negotiations in the Conference on Disarmament (CD) on a 10-year exit clause and by the joint United Kingdom–French decision to abandon their position on testing in exceptional circumstances. The certainty of achieving a CTBT together with the decision to negotiate a treaty on the cut-off of the production of fissile material (*pace* the problem of having to deal with stockpiles) miraculously transformed the mirage of a nuclear-weapon-free world into a foreseeable objective.

This significant policy shift on the CTBT was achieved more quickly than the shift on security assurances

for non-nuclear-weapon States, which seemed less controversial. With pressure from the NAM, particularly from Arab countries vitally concerned over positive security assurances, the "Nuclear Five", now assembled all together for the first time within the NPT regime, laboured long and hard to produce Security Council resolution 984 (1995) on the very eve of the Conference. Among the Five, China was ready for a no-first use security assurance while, at the other end of the spectrum, the United Kingdom and France held out against Treaty-based legally binding guarantees that the NAM continue to demand.

On none of the other issues of the NPT Conference was there any significant policy progress on the part of the nuclear-weapon States before the Conference. The reconciliation of, on the one hand, the fundamental and inalienable right, under article IV of the Treaty, to have access to the peaceful uses of nuclear energy with, on the other, the existence of export control regimes and even sanctions against particular countries remained in abeyance. The modest demands for increased financial resources to developing countries in the NPT, even for non-controversial non-power needs in vital areas such as medicine and agriculture, were ignored. On nuclear-weapon-free zones, beyond support for the principle—especially in the context of the incipient African zone—no significant change was announced on the long overdue signature of the Protocols to the Treaty of Rarotonga. Finally, on the all-important question of the universality of the Treaty, while the anti-NPT rhetoric of some was effectively neutralized, no moves were evident to persuade the hold-out States to follow the admirable South African example.

It was clear, therefore, that a least-cost strategy had been adopted to achieve a desired outcome at the 1995 Conference, and a high-powered campaign was mounted not only to garner the votes of NPT parties, but to swell the ranks

of NPT parties, which finally totalled 178 at the Conference—a handsome 96 per cent of the UN membership. High-level contacts and visits to almost all countries were features of this intensive campaign, the success of which, assiduously documented by pro-NPT extension non-governmental organizations, began to appear slowly at first until the momentum gathered when the Conference began.

Extension options and decision-making

From the perspective of the presidency—after the unanimous decision on its incumbent at the second session of the Preparatory Committee, in January 1993—it was evident that the Conference should be an occasion for the strengthening of the Treaty and not its weakening. The emphasis on majority principles of decision-making was thus counter-productive even if the Treaty stipulated that the extension decision should be taken by a majority. Voting had been avoided at past review conferences even though explicitly provided for in the rules of procedure, mainly because of the magnanimity and good sense of the NAM, which did enjoy the benefits of majority support for their positions at these Conferences. The decision on the extension of the Treaty had also to follow a thorough review of the operation of the Treaty, although proposals were made for a snap vote on the extension in the first week of the Conference. A decision by consensus would be the optimum result for the future viability of the Treaty and its capacity to attract universality. The public display of a division in the ranks of the NPT parties on the extension issue could have serious repercussions for international security.

The danger of a confrontation over the extension issue was real. At the same time, the lack of any clearly articulated alternatives to an indefinite extension that were able to command wide support was an advantage to the indefinite

extension camp. Proposals for 25-year roll-over periods of extensions, a fixed 25-year period and a fixed shorter period were advanced from time to time without support from a political group of countries, which would have lent them greater weight. Moreover, those proposals were not pushed with the same proselytizing zeal as was the proposal of the indefinite extension supporters. That led to pledges of support for the indefinite extension from different regions and different groups, making it increasingly difficult for the NAM to evolve its own position on the extension.

By the time the Conference opened on 17 April, the votes were in for a majority decision to extend the Treaty indefinitely. That such a majority would not constitute the moral victory desirable for the Treaty would not have deterred the supporters of indefinite extension from going to a vote. Evidence of some fragility in the support for an indefinite extension was seen on the eve of the Conference in the debate—in the context of drafting rule of procedure 28.3—on whether the extension vote should be conducted in secret or in the open. A simultaneous vote on all draft resolutions had already been accepted as a result of a NAM initiative. The demand for a secret vote, even from countries that were ready to support an indefinite extension, was seen as a defiant assertion of their independence and affirmation of their right to vote in the mode they chose. In the event, the problem was never resolved despite consultations right through the Conference and arrangements were made by the Secretariat for both options of a secret ballot and a ballot by name. The adoption of the extension decision without a vote obviated the need for a procedural vote on whether that decision should be voted on secretly or not. The outcome of this procedural vote will, therefore, remain tantalizingly obscure.

Conference proceedings

Apart from the dispute over the rule of procedure for voting on the extension decision, the preparatory process of the Conference had proceeded remarkably smoothly. It was also well attended, foreshadowing the record attendance of 175 State parties at the Conference itself. Despite some difficulties in the early sessions of the Preparatory Committee, the agenda was agreed upon, including the allocation of items among the three Main Committees; the nomination of the office-bearers was unanimously accepted; cost-sharing and background documentation were decided on and the rules of procedure (sans 28.3, of course) were adopted. Exchanges of views on substantive issues, which took place for the first time in the Preparatory Committee, revealed the deep differences among States parties on a number of issues other than the extension of the Treaty.

The general debate of the Conference showed that a large majority of the speakers favoured an indefinite extension of the Treaty. Consultations by the President with delegations that remained uncommitted and did not speak in the debate indicated a clear trend in favour of the indefinite extension option. However, other trends were also evident. Some delegations wanted the right to vote in secret. All wanted concrete steps taken towards nuclear disarmament and were emphatic that the indefinite extension of the Treaty was not *carte blanche* for the nuclear-weapon States to retain their monopoly over the possession of those weapons forever.

The statement of the Foreign Minister of South Africa in the general debate was one of the defining moments of the Conference. While announcing his delegation's decision to support the indefinite extension of the Treaty, he called, *inter alia*, for a declaration of principles on nuclear non-proliferation and nuclear disarmament as a yardstick with which to measure the implementation of Treaty under-

takings and a strengthening of the review process. These ideas proved influential and provided the building blocks for the agreement that was finally reached. The failure of the Bandung Conference, held in the second week of the NPT Conference to forge a common NAM position on the extension decision and the mode of voting, weakened the opposition to the extension decision. An unfortunate mood of "triumphalism" was displayed by some Western delegations confident of the unassailable majority they had gathered.

Three draft resolutions on the extension were finally tabled by the due date. They were the draft resolution for an indefinite extension with a co-sponsorship that showed an obvious majority; a draft resolution by Mexico for an indefinite extension but with a number of measures that went along with it; and, finally, a draft resolution by the "like-minded States" within the NAM, led by Indonesia, for an extension by 25-year roll-over periods with a review and extension conference at the end of each period. The task of voting simultaneously on these three draft resolutions would have been both difficult and confusing. The Mexican resolution was attractive to many who had co-sponsored the bald decision on indefinite extension, and the result was, therefore, not a foregone conclusion.

Conference management and the evolution of a decision without voting

The history of the past review conferences had been a chequered one with two out of four failing to produce a final declaration due to a lack of consensus. The importance of sound conference management and confidence and trust among the key players were obvious needs if the 1995 Conference was to succeed. Thus, a timetable with the front-loading of the Conference to ensure that the review aspect would be completed by the end of the third week,

leaving the final week for the extension decision, was one of the strategies devised. In the event, the review and extension aspects were so closely intertwined that a strict separation was not possible. Moreover, the President's consultations, which began in earnest in the second week, focused largely on the extension decision, leaving the Main Committees to discuss the review of the Treaty. This was to have its repercussions especially with regard to the disarmament aspects of the review, which were finally responsible for the failure to agree on a final declaration.

The device of the President's consultations for the negotiation of key decisions was an expanded version of a similar group used in the 1985 Review Conference. The fact that the consultations included group coordinators who were encouraged to report to their constituencies on its proceedings and bring back responses ensured transparency and accountability. This mechanism of consultations was used to good effect in negotiating the decision on "Principles and objectives for nuclear non-proliferation and disarmament" and the decision on the "Strengthening of the review process for the Treaty". In the final week, the President also presented his proposal for a decision on the extension of the Treaty, which was finalized in the group before presentation to the groups and, thereafter, to the Conference.

In addition to the President's consultations, the General Committee was also used as a clearing-house for administrative problems in the Conference as well as a discussion forum for some of the issues that were discussed in the consultations. Further transparency was ensured by weekly press conferences held by the President, at which the Chairmen or their representatives to the Committees were also invited to be present.

Following the South African initiative, the shape of an agreement became clear mid-way through the Conference.

A package consisting of a declaration of principles on nuclear non-proliferation and nuclear disarmament, a strengthening of the review process of the Treaty and an agreement on the universality of the Treaty, especially in the Middle East, was considered to be the goal. Out of concern that the delicate negotiations should not be ruptured, delegations did not make it explicit that the basis of this agreement would have to be some recognition of the ground reality that a majority existed in the Conference for an indefinite extension. A key contribution to the emerging consensus was provided by the Indonesian Foreign Minister, who arrived in New York after the Bandung meeting and was briefed by the President on the package. He proposed, *inter alia*, a more explicit linkage between the documents on the "Principles and objectives for nuclear non- proliferation and nuclear disarmament" and the "Strengthening of the review process of the Treaty". This resulted in three parallel decisions being presented to the Conference with built-in linkages, although it was acknowledged that, while the extension decision was legally binding, the other two decisions were politically binding. By the beginning of the fourth week, the two draft decisions on the principles and objectives and on strengthening the review process were in final shape. The crucial, legally binding draft decision on the extension of the Treaty was crafted by the President and presented on Monday, 8 May. After subsequent discussion at the President's consultations, it was finalized and ready for adoption on Wednesday, 10 May, as envisaged in the rules of procedure. At that point it was necessary for urgent consultations to be conducted on the Middle East issue to ensure that Arab States parties would find it possible to accept the draft decisions without a vote.

On this vexed problem a separate track of negotiations, conducted without the involvement of the President, had reached a stalemate. The request for its inclusion as part of the package resulted in accelerated activity under the aegis of

the President and finally concluded with a resolution that could be adopted without a vote. The resolution was co-sponsored by the three depositary States of the Treaty, adding great weight to the call for universality of the Treaty in the Middle East and the acceptance of International Atomic Energy Agency (IAEA) safeguards on nuclear facilities in the region. Thus, the Conference was able to adopt three parallel decisions and a resolution on the Middle East on Friday, 11 May, bringing to a successful conclusion the extension aspect of the Conference.[1]

Regrettably, the focus of attention on the extension issue had resulted in less time and diplomatic effort being devoted to the review aspect. In a strangely ironical comment on the decision just adopted to strengthen the review process, the 1995 Conference was unable to agree on a final declaration. The reasons for that were complex, but the lack of time and preoccupation with the extension decision were clearly dominant. It would not be accurate to read into this failure anything more than this. Nor would it be right to base pessimistic forecasts for future review conferences on this experience.

The future of a permanently extended NPT

Only history can judge the wisdom of the decisions taken at the 1995 Conference. If the pledges made in the politically binding decisions on the "Principles and objectives for nuclear non-proliferation and disarmament" and the "Strengthening of the review process of the Treaty" are fulfilled within the shortest possible time-frame, the decision to extend the Treaty indefinitely will be vindicated. However, any departure from the sincere implementation of the decisions will lead not only to cynicism over the freedom and democratization of the post–cold war world order but also to a dangerous buildup of dissatisfaction among a majority of

Treaty parties, which could, at any moment, invoke their rights under article X.1 and leave the Treaty. Such erosion of confidence in the Treaty and its objectives must never be allowed to happen. The impermanence of permanence should not be put to the test. On 7 June 1995, the NAM Coordinating Bureau meeting in New York established a new Standing Committee on Disarmament, chaired by Indonesia, whose task, *inter alia*, will be to monitor the implementation of NPT undertakings and 1995 NPT Conference commitments.

A number of undertakings have to be fulfilled in the short term and they include the conclusion of a genuine CTBT no later than 1996. Already, after the conclusion of the Conference, one nuclear-weapon State has conducted a nuclear-weapon test and another is likely to do so soon.

We also hear disturbing reports of a threshold test-ban treaty (TTBT) being foisted on us in the guise of a CTBT. The negotiations for a convention on banning the production of fissile material for nuclear weapons must also take place urgently in the Conference on Disarmament. Equally important is the need to have deeper cuts in nuclear-weapon arsenals after the implementation of START I and START II, bringing in the nuclear weapons of all five nuclear-weapon States. Other undertakings on universality, nuclear-weapon-free zones, security assurances, safeguards, and peaceful uses of nuclear energy will also have to be implemented. The monitoring of this implementation will be subjected to far closer scrutiny than ever before, not only by States parties, but by NGOs and the international community as a whole. Let me be blunt—no one was let off the hook by the indefinite extension of the NPT on 11 May 1995.

The fact that there will be greater accountability through the strengthened review process beginning in 1997 will ensure that the undertakings contained in the Treaty and in the decisions of the 1995 Conference will have greater prospects of being achieved. Non-nuclear-weapon States,

especially in the NAM, will no longer hesitate to vote if necessary at future review conferences, if these undertakings are perceived as being ignored. Suspicions have lingered that political expediency led to even the minimal concessions made by the nuclear-weapon States. These suspicions have not been helped by the self-righteous and gloating comments of some sections of the Western media and by the wishful obituaries they composed for the NAM after the 1995 Conference. The suspicions will be more than confirmed if a TTBT is now offered as a substitute for a CTBT.

The success of the 1995 Conference, despite the negative interpretation of some, illustrates the enormous potential of multilateral disarmament conferences for constructive progress. The tensions and the prevailing differences of opinion did not obstruct a final outcome that was acceptable to all. Its real durability now depends on the sincerity with which the decisions will be observed in the future. To adapt what the current folk hero of the United States, Mr. Forrest Gump, has said: "Consensus is as consensus does." The decisions adopted without a vote can only reflect a genuine consensus within the NPT parties—now grown to 182—if they are shown at future review conferences to have been faithfully observed by all States parties.

Life cannot be, as the same Mr. Forrest Gump has said, "... like a box of chocolates. You never know what you're gonna get". We do need to know, with absolute certainty, that we are progressing towards the complete elimination of nuclear weapons and the fulfilment of all the undertakings of the NPT so that we may have a safer world and a better world. That, and that alone, makes the outcome of the 1995 NPT Review and Extension Conference justifiable—both morally and politically.

Note

[1] See "Documentation relating to disarmament and international security", *DISARMAMENT: A periodic review by the United Nations*, vol. XVIII, No. 2 (1995).

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The 1995 NPT Conference: A New Beginning

Mohamed I. Shaker

When the Nuclear Non-Proliferation Treaty (NPT) Review and Extension Conference came to a close a few minutes before midnight on Friday, 12 May 1995, after four weeks of deliberations, delegations of the 175 parties to the NPT participating in the Conference, out of a total of 178 adherents to the Treaty,[1] must have parted with mixed emotions. The day before, the decision to extend the NPT indefinitely had been adopted, together with two other decisions, all without a vote. Moreover, a resolution on the Middle East had also been adopted by the Conference, also without a vote.[2] However, the Conference during its last day had to recognize its failure to adopt a final declaration on its thorough and systematic review of the operation of the Treaty. It adopted its Final Document, comprising all the documents of the Conference, including the reports of its three Main Committees but, alas, without a final declaration.

The Conference convened on 17 April under the presidency of Ambassador Jayantha Dhanapala of Sri Lanka, after two years of preparation through a Preparatory Commit-

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This statement was delivered at the United Nations Conference on Disarmament Issues, held in Nagasaki, Japan, from 12 to 16 June 1995.

tee, which had held four sessions. The Committee mainly concentrated on examining documents to be put before the Conference as well as on procedural matters, including procedures for voting on the extension of the NPT. The latter were agreed upon along with the other rules of procedure only on the day before the Conference adopted its decisions. The rules of procedure were applied provisionally until agreement was reached on how to vote on extension—a vote which, it appeared towards the end of the Conference, would not take place anyway. As there was no vote, it remains to be said that the rules agreed upon on this aspect are unique and academic, as they are not expected to be re-introduced in other conferences.

Review

The rules of procedure of the Conference established, as previously agreed in the Review Conferences of 1985 and 1990, a General Committee, three Main Committees, a Drafting Committee and a Credentials Committee.

Main Committee I was established to review articles I, II, VI and VII and corresponding preambular paragraphs as well as security assurances. It was chaired by Ambassador Isaac Ayewah of Nigeria.

Main Committee II dealt with the implementation of article III and corresponding preambular paragraphs as well as some aspects of articles I, II and VII. It was chaired by Ambassador André Erdos of Hungary.

Main Committee III reviewed the aspects of the NPT relating to articles IV and V and III.3 and corresponding preambular paragraphs. It was chaired by Ambassador Jaap Ramaker of the Netherlands.

Both Main Committees II and III were also entrusted with the item on the role of the NPT in the promotion of

non-proliferation of nuclear weapons and of nuclear disarmament in strengthening international peace and security and measures aimed at promoting wider acceptance of the Treaty.

The review in Committee I was handled with great difficulty. Familiar issues of disarmament and arms control that dominated previous review conferences reappeared again with greater intensity and confrontation between nuclear-weapon States and their allies, on the one hand, and non-nuclear-weapon States, particularly members of the Non-Aligned Movement, on the other.

In 1980 and 1990, the main issue that prevented a consensus on a final declaration was the lack of agreement on the language regarding a comprehensive test-ban treaty (CTBT). In 1995, the atmosphere was more contagious and the issues on which the parties disagreed were numerous. In examining the report of Main Committee I,[3] one sees that it is infested with brackets indicating disagreement on the language of a great number of issues.

The Chairman of Committee I pointed out to the Conference the major disagreements that prevented the emergence of a consensus on that Committee's part of the review of the operation of the Treaty. The main issues that plagued its work were: to what extent the parties to the Treaty had lived up to their obligations under articles I and II; the arms race and to what extent the nuclear-weapon States had lived up to their obligations under article VI; the status of the negotiations of a CTBT and of a cut-off of fissionable material for weapon purposes; security assurances; general and complete disarmament; and conventional disarmament.

A closer examination of the report of Main Committee I would reveal many examples of disagreement. Suffice it to mention that in Committee I it was not possible to agree on language reaffirming that nuclear weapons must be eliminated from the face of the earth.

Main Committee II, which concentrated its work on international safeguards, was more fortunate than Main Committee I in its review of the operation of the Treaty in the domain of safeguards and related issues, as well as the establishment of nuclear-weapon-free zones. It ended with only a few bracketed paragraphs dealing with the situation in Iraq and in the Democratic People's Republic of Korea; the establishment in the Middle East of a nuclear-weapon-free zone; Israel's adherence to the NPT and the placing of all its nuclear facilities under International Atomic Energy Agency (IAEA) safeguards; and also the establishment of a nuclear-weapon-free zone in Central Europe. Apart from the bracketed paragraphs, the report[4] in general was a positive one, highlighting the centrality of IAEA in NPT verification and the improvement of verification techniques.

The report of Main Committee III,[5] which concentrated on the peaceful uses of nuclear energy, ended up with only one bracketed paragraph concerning the restrictions and constraints imposed on developing non-nuclear-weapon States' full access to nuclear technology for peaceful purposes. The report in general was also a positive one and dealt with a number of issues relating to peaceful uses of nuclear energy, including nuclear safety, nuclear waste and nuclear cooperation. The Committee also expressed its concern about cooperation with non-parties to the Treaty. Another important issue was the protection of peaceful nuclear facilities from attack. Moreover, the Committee's report urged non-parties to the Treaty that operate unsafeguarded nuclear facilities (India, Israel and Pakistan) to bring their facilities under safeguards and affirmed the important contribution this would make to regional and global security. It also called upon all States—twelve—that have not yet adhered to the Treaty to do so.

The Drafting Committee of the Conference had a rather difficult task, especially in view of the outcome of the review of Main Committee I. The Chairman of the Drafting

Committee, Ambassador Tadeusz Strulak of Poland, formed a number of working groups to deal with different issues, such as articles I and II, and security assurances. However, a compromise was difficult to achieve. In these circumstances and given the fact that the Conference had adopted its decisions—including that on indefinite extension—in the morning of 11 May, the President of the Conference felt encouraged to bring the review to a successful conclusion. He undertook the task of organizing an open-ended meeting to try himself, in the presence of the Chairman of the Drafting Committee, to sort out the remaining problems and to remove the brackets in the three Main Committee reports. The open-ended meeting worked on the basis of a consolidated text. The brackets originally emanating from the reports of Main Committees II and III were finally removed and compromise language was reached. Unfortunately, discussion on bracketed language emanating from Main Committee I's report was not entirely successful. Major differences persisted with regard to the arms race and nuclear disarmament. Consequently, the President saw no need to continue with a futile exercise.

It is worth noting that the position of the Non-Aligned Movement on issues of disarmament and arms control has been quite harmonious and consistent. This can be ascertained from their positions as reflected at the Non-Aligned Ministerial Conference in Cairo in June 1994, the third session of the Preparatory Committee of the 1995 NPT Review and Extension Conference, the non-aligned meeting in New York just before the Conference started and in their exchange of views that took place in Bandung, Indonesia, from 25 to 27 April 1995. The main elements in their position were the need for a CTBT and a cut-off agreement, as well as for credible security assurances. They were unhappy with the new Security Council resolution (resolution 984 (1995)) on

security assurances, adopted on 4 April, a few days before the NPT Conference convened.[6]

The Non-Aligned Movement and especially the so-called "like-minded States" group within the Movement were keen to have a final declaration, especially because the Treaty had been extended indefinitely. There was a rumour that Egypt and maybe others were not keen to have such a final declaration or were working against it because of their dissatisfaction with the indefinite extension of the Treaty. This was utterly untrue and this was conveyed to the President of the Conference. For the non-aligned, it was important to have a final declaration to mark the completion of the Conference's task. It is true that a great number of these countries were dissatisfied with the indefinite extension, but they were looking forward to a declaration that would guide them in the future reviews of the Treaty, as will be explained later. A final declaration by the 1995 Conference would have been a good omen for the future.

At one point it was even suggested to the President of the Conference that he might follow the example of one of his predecessors, Inga Thorsson of Sweden, President of the first NPT Review Conference in 1975, who drafted the Final Declaration herself and had it adopted by the Conference. This suggestion was perhaps not appropriate for the President of the 1995 Conference, during the last hours of the Conference and in an atmosphere very different from that prevailing during the 1975 Conference, in which the number of participants did not exceed half of the number of participants in the 1995 Conference.

The Final Document of the Conference included the reports of the three Main Committees as they emanated from the Committees themselves. The progress made by the President in the open-ended meeting of the parties was not, therefore, reflected in the Final Document. In other words, the

Main Committee reports remained the same, unaltered or unmodified. It was felt that as long as there was no consensus on a final declaration, there was no need to report progress on some parts of the exercise and lack of progress on other parts of it.

Extension

Long before the Conference convened, the depositary Governments of the NPT were advocating and working very hard to guarantee the indefinite extension of the Treaty. No stone was left unturned in order to achieve this objective.

As the NPT offered other options, a number of States felt that the Treaty should be extended either for a fixed period or periods. In this regard, the Non-Aligned Movement had not taken a common position. In Bandung in particular, the members of the Movement had merely agreed that the Treaty should be extended in accordance with the options provided in article X.2. They also agreed that, in conformity with article VIII.3, five years after the adoption of the extension decision, a regular review conference should be convened and subsequent regular review conferences should be convened at intervals of five years thereafter.

By 5 May, the Conference had before it three draft texts on extension. The first one, submitted by Mexico, would extend the Treaty indefinitely, while at the same time prescribing a treaty review process in the future. The second draft was sponsored by a great number of States, about 107, including the three depositary Governments and France. It supported the indefinite extension of the Treaty and was introduced by Canada. The third draft, sponsored by a group of non-aligned States including Indonesia, the leader of the Non-Aligned Movement, advocated an extension of rolling fixed periods of twenty-five years. A number of non-aligned States, such as Egypt and Syria, could not join in sponsoring

this resolution because they were against a long extension of the Treaty.

With the tabling of the three drafts, an important process started within the Conference in order to produce a paper on principles and objectives for nuclear non-proliferation and disarmament. This process was initiated by the President of the Conference and in the framework of the so-called Friends of the President. This group, in 1995, was much larger than it had been at previous review conferences, taking into consideration the increase in the number of participants at the 1995 Conference as well as the importance attached by all of them to the extension aspect. The group consisted not only of the major officers of the Conference, the chairmen of the different groups and the depositary Governments, but also of States that were already playing an active role at the Conference and had expressed strong views on issues of review and extension.

The discussions in the group of Friends of the President on the principles and objectives of nuclear non-proliferation were triggered by a paper on strengthening the NPT review process, presented by South Africa. This move by South Africa, a new member of the Non-Aligned Movement, was a clever and visionary one. Failure to adopt a final declaration—as had been the case at two previous review conferences—was not a far-fetched possibility in 1995 and could have had an impact on the extension itself. Therefore, there was a need to produce a sort of substitute for a final declaration, which could facilitate the taking of a decision on extension. Basing themselves on the South African paper, the President and his friends worked on the principles and objectives for nuclear non-proliferation and disarmament. A number of meetings were held, at the end of which a President's draft was ready for approval by the Conference. It is significant that universality comes at the top of the list, indicating the desire of the parties to bring into the Treaty

those outside it. The document adopted by the Conference did not miss the basic issues, which have attracted the attention of the parties to the Treaty for many years, whether they relate to nuclear disarmament, nuclear-weapon-free zones, security assurances, international safeguards or peaceful uses of nuclear energy.

Some analysts and observers wonder about the significance of such principles and objectives. They fear that they could lose their impact after a while and soon be forgotten, sharing the fate of many other principles elaborated in the past, such as the five principles for negotiating a treaty on non-proliferation, adopted in 1965 by the General Assembly.[7] However, it should be noted that the new principles and objectives were the result of extended negotiations without which the Treaty might not have been extended for any period whatsoever. They represent the minimum that the parties to the Treaty were ready to accept in order to continue with their commitments to the NPT.

In the course of the discussions taking place in the group of the Friends of the President, the President informed the group that Indonesia had certain views on the strengthening of the review process and had put forward a paper to be examined by the group. It appeared that if the paper were welcomed and approved by the parties to the Treaty, Indonesia would not insist on its draft resolution on extension for rolling fixed periods of twenty-five years.

At the same time, the President put before the group of Friends a new draft on extension, which read to the effect that the Conference

"[D]ecides by consensus that in terms of Article X.2 a majority exists among States Parties for the indefinite extension of the Treaty and the Treaty shall accordingly continue indefinitely".

This proposal by the President triggered a few comments to the effect that there was some contradiction between the two terms "consensus" and "majority" in one paragraph. In essence, these comments were an early indication that there was some uneasiness in extending the Treaty indefinitely by consensus.

Before dealing with the extension itself, the friends of the President had a chance to modify and add to the Indonesian paper, which was later presented to the Conference as a President's draft decision and adopted on 11 May. The virtue of this decision on strengthening the review process is that the NPT will be reviewed every five years without further decisions by the parties to the Treaty and without the intervention of the depositary Governments. Moreover, the decision also extends the duration of the preparatory phase of the review in order to have substantive, not merely procedural, preparation, as we have had so far. It is hoped that such lengthy and substantive preparation can guarantee an orderly and fruitful review, resulting in a final declaration to guide the parties in each phase.

The Conference proceeded first to adopt the decision on strengthening the review process, then the decision on the principles and objectives, and lastly the decision on the extension itself, which merely stated that:

> "... as a majority exists among States party to the Treaty for its indefinite extension, in accordance with article X, paragraph 2, the Treaty shall continue in force indefinitely."

The three decisions were adopted without a vote. The first two were agreeable to all parties participating in the Conference, whereas the concept of the third was not shared by everyone. This is why the format of "no vote" was agreed upon; it avoided dissenting votes on the extension decision, but did not prevent those who did not favour indefinite

extension from making their positions known at the Conference. The three decisions were considered by everyone, even by those who did not favour the indefinite extension, to be a package. This concept of a package should confer on the decisions regarding strengthening the review process and the principles and objectives a certain sanctity and credibility.

The Middle East

Realizing that the Middle East might not receive a fair and objective coverage in the review and in a potential final declaration and realizing as well that the final declaration itself might be in jeopardy, a number of Arab countries put forward, three days before the end of the Conference, a draft resolution expressing their deep concern at the continuing existence in the Middle East of unsafeguarded Israeli nuclear facilities. The resolution called upon Israel to accede to the NPT and to place all its nuclear activities under IAEA full-scope safeguards. It also called for the establishment of a Middle East zone free of weapon of mass destruction.

Egypt and Algeria played a major role in drafting and submitting this draft resolution to the Conference. Long before the convening of the Conference, the Egyptian Government had indicated the importance of Israel's adherence to the NPT and its placing all its nuclear activities under IAEA safeguards. Egypt took issue with Israel's refusal to adhere to the NPT and indicated that real and genuine peace in the area could not be secured while Israel was left free to develop its nuclear capabilities, without any control or inhibitions. Algeria, as the newest Arab adherent to the NPT, was now also keen to bring Israel into the fold.

The United States was unhappy with singling out Israel in the resolution on the Middle East. It noted that there were three other Arab countries that did not yet adhere to the NPT and that they ought to be mentioned along with Israel in

the draft resolution, i.e., Djibouti, Oman and the United Arab Emirates. The President of the Conference invited the interested parties to a meeting with him in order to find acceptable language. However, in view of the fact that the Arab countries non-parties to the Treaty, in particular Oman and the United Arab Emirates, were not willing to be mentioned in the resolution along with Israel, the version finally adopted did not mention Israel by name but generally urged those non-parties to the Treaty that operate unsafeguarded nuclear facilities to accept full-scope IAEA safeguards. The resolution reaffirmed the importance of the early realization of universal adherence to the NPT and called upon all States of the Middle East that have not yet done so, without exception, to accede to it as soon as possible. The resolution also favoured a Middle East zone free of weapons of mass destruction.

As the original text presented by the Arab States had undergone major changes—mention of Israel was now omitted—the Egyptian delegation suggested to the three depositary Governments that they co-sponsor the resolution. They willingly accepted to do so, especially as the United States delegation had played an active role in resisting the original text and in suggesting modifications and changes to it. The sponsorship of the Middle East resolution by the three depositary Governments, which happen to be permanent members of the Security Council as well, confers a certain significance on the resolution. First of all, there is an indication that the three depositary Governments will try their best to bring Israel into the Treaty. The *travaux préparatoires* of this resolution indicate without doubt that Israel is the country that is alluded to in the resolution. Moreover, in one of its paragraphs, it refers to the report of Main Committee III, which clearly mentions Israel as one remaining State not party to the Treaty that has unsafeguarded nuclear facilities. In the second place, the three co-sponsors are expected to push

forward and support the establishment of a zone free of weapons of mass destruction in the Middle East, hopefully, through the Security Council. Egypt is expected shortly to seize the Council of this matter, hoping to involve it in the establishment of such a zone or at least a zone free of nuclear weapons.

After the Middle East resolution was adopted, also without a vote, Egypt made it clear that this resolution, too, was part of the so-called package of previous decisions, although Egypt and other Arab States also made it clear that they disagreed with the indefinite extension of the Treaty.

Conclusion

The extension of the NPT beyond 1995 and indefinitely, the adoption of certain principles and objectives for non-proliferation and disarmament, the strengthening of the review process and the adoption of a single resolution on the Middle East all constitute a new beginning. Our aim, however, should be, in the short run, to achieve universality of adherence to the NPT in order to make it a real and genuine instrument of security for all nations. If this were to happen soon, all those that have been reluctant to and reticent about extending the Treaty indefinitely would become greater supporters of the NPT, in spite of its shortcomings and the lack of full implementation of its provisions.

The failure to adopt a final declaration at the 1995 Conference could augur ill at a time when we have made plans for future review processes, hopefully more effective and worthwhile. The next five years are going to be crucial. If we succeed in transforming the NPT into a universal instrument, if we prepare well for a review conference in the year 2000, and if we make greater progress in nuclear disarmament, in freer trade in nuclear material and equipment without constraint and restrictions, and in achieving more credible

security assurances for non-nuclear-weapon States against threats or attacks by nuclear weapons, then we will be on the right path. If we fail in all of this, then the indefinite extension of the Treaty will be meaningless and will carry no credibility.

Another key to success will be to live up to the expectations of those who drafted and supported the five main principles in 1965, on the basis of which the NPT was to be negotiated. If we do not live up to these principles, we shall soon forget about the objectives and principles we have just agreed upon at the 1995 Conference.

Some may be tempted to say that the only legally binding decision of the Conference is that on extension, whereas the other decisions as well as the resolution on the Middle East are of a political nature and therefore carry no legal weight. I would guard against such unnecessary distinctions for fear that they might be wrongly interpreted as an indication of hesitation and wavering in honouring the commitments undertaken in the 1995 NPT Conference. The decisions reached at the Conference were considered to constitute a package. For example, is not the decision on strengthening the review process in conformity with article VIII.3 of the NPT, and therefore legally binding on the parties to the Treaty? What is important is that there is a coherent *package*, which ought to be honoured and respected by all.

Let me end by referring to the editorial of 16 May in *The Guardian*, which concluded that the NPT might help just a little, but that we are still lost in the nuclear forest with no way out.

Notes

[1] At the closing session it was announced that Chile had just adhered to the NPT; it deposited its instrument of ratification on 25 May in Washington, thus becoming the

179th party (A/50/272). As of 31 October 1995, the total number of parties to the Treaty was 182.

2 See "Documentation relating to disarmament and international security", *DISARMAMENT: A periodic review by the United Nations*, vol. XVIII, No. 2 (1995).

3 NPT/CONF.1995/MC.I/1.

4 NPT/CONF.1995/MC.II/1.

5 NPT/CONF.1995/MC.III/1.

6 See Mohamed I. Shaker, "Why the non-aligned States may not support an indefinite extension", *Disarmament*, vol. XVIII, No. 1 (1995), pp. 24–46. See also document NPT/CONF.1995/MC.I/WP.5 of the NPT Review and Extension Conference and document NAC 10/MM/CB/07 of the Ministerial Meeting of the Coordinating Bureau of the Non-Aligned Countries, Bandung, 25–27 April 1995.

7 General Assembly resolution 2028 (XX).

The Issues and Significance of the New NPT Regime

John Simpson

Superficially, 11 May 1995 appears to be the day when the old nuclear non-proliferation regime ended and a new one began. At noon on that day in New York, the Review and Extension Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) recognized collectively that a majority of NPT parties favoured the indefinite extension of the Treaty. They did not arrive at this position by a positive consensus decision, however, thus indicating that a minority of the parties would have preferred one of several alternative extension options.

This recognition marked the culmination of a long and vigourous lobbying campaign, conducted by several of the nuclear-weapon States and their allies, to ensure the indefinite extension of the Treaty. At times this displayed arm-twisting and vote-counting more characteristic of internal politics than of the international relations between sovereign States. Yet despite, or in some interpretations

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because of, those pressures, the extension decision that emerged was a product of two other sets of "decisions" taken in parallel to that on extension—those contained in the document "Strengthening the review process for the Treaty"[1] and those in the document "Principles and objectives for nuclear non-proliferation and disarmament"[2]—as well as a resolution on the Middle East sponsored by the Russian Federation, the United Kingdom and the United States. The extension was not formally conditioned by those two decisions and the resolution, but a clear political implication existed that if no attempt was made to act upon them, or to implement them in good faith, that would reduce support for the regime and, it has subsequently been suggested in some quarters, might lead to withdrawals from the Treaty.

The spirit of triumph displayed by some States over the outcome of the 1995 Conference should not be allowed to obscure the fact that the significance of the indefinite extension of the NPT resided primarily in what did not happen as a consequence of the decision, rather than what did. For if the Conference had failed to agree on any extension decision, or had agreed to an extension for a limited period or periods only, the message that would have emerged would have been that the Treaty and its associated regime were in trouble; that support for the Treaty, and especially for the legal commitments made by its non-nuclear-weapon State parties not to acquire nuclear weapons, was weakening; that the parties did not place a high priority on attempts to prevent the further spread of nuclear weapons; and above all, that the international community saw non-proliferation as a conditional, time-bound enterprise, rather than an absolute and perpetual one.

Such a set of messages would have been particularly unfortunate in the new global political context of uncertainties over the long-term viability of existing political alignments and collective security arrangements. It would have offered

comfort and support to those within nuclear-weapon States and threshold States who argue that possession of nuclear weapons, and not nuclear disarmament or the removal of nuclear ambiguity, is the ultimate and most credible means of sustaining State security in an increasingly unpredictable world political environment. It would also have undermined the international legal foundations for nuclear trade and the further development of the global nuclear power industry. The outcome of the Conference prevented all of these potentially negative developments from taking place.

The Conference did not, however, resolve any of the proliferation threats that currently confront the international community or necessarily create new ways of meeting those challenges. There were three distinct reasons for this. The first was that the extension decision focused upon making permanent the legal basis for the current regime, rather than changing it. The operative articles of the NPT have remained untouched by the Conference decision. The second was that the parties failed to agree on the text reporting their review of the implementation of the Treaty—a final declaration—and thus the Conference itself made no observations on the cases of alleged non-compliance with the NPT by Iraq and the Democratic People's Republic of Korea (DPRK). Neither did it make any comments on proposals for changing the International Atomic Energy Agency (IAEA) safeguards procedures or dealing with issues such as nuclear smuggling or the disposal of fissile materials from dismantled weapons. Finally, the existing review procedures tended to focus discussion, especially in the disarmament area, on the disagreements over the past performance of the parties in meeting their commitments under the Treaty, rather than concentrating on future challenges to the regime and the innovations needed to deal with them.

Given this background, any evaluation of the "new" NPT regime must start by examining in some detail how the

collateral decisions on the review process and on principles and objectives, taken at the same time as the indefinite extension of the Treaty, are going to be implemented. In addition, it is necessary to give some thought to the events that would enhance the prospects for a constructive atmosphere within which such implementation might take place, and thus to improve the chances of an outcome that would facilitate new initiatives to strengthen the nuclear non-proliferation regime and enable it to meet the evolving nuclear proliferation challenges.

The implications of the decision to amend the review process

The collateral decision document on a revised review process that was negotiated at the 1995 NPT Conference contains several changes to the existing arrangements. First, it makes permanent the current ad hoc arrangements under which an NPT review conference has been held at five-year intervals since 1975. Second, it provides that in each of the three years preceding all future NPT review conferences, the Preparatory Committee (PrepCom) for the conference will meet for 10 working days both to "consider principles, objectives and ways to promote the full implementation of the Treaty, including its universality, and to make recommendations thereon to the Review Conference". This work is to be focused around the implementation of the principles and objectives for nuclear non-proliferation and disarmament contained in the other collateral decision document. Third, although review conferences will continue to be organized around the work of three main committees, "subsidiary bodies" may be established within them to promote "focused consideration" of issues. The PrepComs will make recommendations on the establishment of those "bodies" to individual review conferences. Future NPT review confer-

ences will also have the specific remit of looking "forward as well as back", and thus be tasked with discussing methods of strengthening the implementation of the Treaty and achieving its universality.

One major implication of this decision document is that the first of these new-style PrepComs to prepare for the NPT review conference in 2000 will be held in 1997. However, the document, and the changes it mandates, gives only minimal guidance on how the new review system is to operate, and leaves many significant questions unanswered. The more practical and procedural ones include:

(i) Where and when will the PrepComs in 1997, 1998, 1999 and a possible procedural one in 2000 be held?

(ii) Will more substantial and permanent secretariat arrangements be needed to support the new review process?

(iii) How much will the new arrangements cost, and who will pay for them?

(iv) What will be the agenda and programme of work for those meetings?

(v) How will continuity of national personnel and policy be sustained over the three-year PrepCom and review process?

(vi) When and how will decisions on all of these matters other than the last one be taken?

More substantive questions are whether all relevant issues are to be discussed at each PrepCom meeting, thus making it a "mini-review conference" or semi-permanent NPT monitoring committee, or whether each meeting should focus on the work normally allocated to one of the main committees only, thus systematically preparing in depth for the next review conference, and perhaps starting the work of the "subsidiary bodies", which might themselves be involved

in intersessional activities. In addition, the decision document makes no mention of the production of reports on the deliberations of each PrepCom, either as a consensus document or in some other form, though it does talk about making recommendations to review conferences. That leaves open for decision by the 1997 PrepCom whether:

(i) Such reports should be independent and free-standing documents that might, among other things, contain a commentary on the current state of the non-proliferation regime;

(ii) They should be restricted to recommendations to the review conference on how it might conduct its business; or

(iii) They might contain recommendations to other bodies, such as the International Atomic Energy Agency in Vienna, the Conference on Disarmament (CD) in Geneva, or the United Nations Disarmament Commission, or the Security Council in New York.

Parties to the NPT will probably display differing perspectives upon the diverse questions concerning the implementation of this revised review process when the first of the new-style PrepComs convenes in 1997. Those who viewed the revised process as a substitute for the leverage they sought through a time-bound framework for disarmament may demand that a review of progress in disarmament should occur at each PrepCom, and that the Committee should issue an annual report and recommendations on this. Those who see the PrepCom process as a means of more rigorously and systematically identifying and elaborating the challenges to the nuclear non-proliferation regime may support an approach where preparation and detailed discussion of the substantive agenda items for the conference, and decisions on "subsidiary

bodies", are divided between the PrepComs, with each focusing on the work of an individual main committee.

An initial conclusion that can be derived from the above discussion is that the revised review process created in May 1995 is a powerful new conference instrument, which can be used in different ways and to achieve varied objectives. Just how it is used may be dependent on the progress made in achieving non-proliferation and disarmament goals when the first PrepCom convenes in 1997. As those were set out in the second collateral decision document on "Principles and objectives for nuclear non-proliferation and disarmament", interpretations of this seem likely to play a pivotal role in setting the ground rules for this revised process.

The implications of the document on principles and objectives

This document consciously attempts to create "yardsticks" against which progress in nuclear non-proliferation and disarmament could be measured. It can be seen as an attempt to translate the language of the Treaty into a set of objectives that parties agree should be achievable in the contemporary context. It is therefore something of a "halfway house" between the text of the Treaty itself and the more detailed consensus final declarations that all previous NPT review conferences have sought to produce. The yardsticks that have been agreed emphasize looking forward to identify attainable future objectives, rather than looking back to condemn past non-achievements. This differs significantly from the focus on non-achievements, particularly in nuclear disarmament, that has characterized key elements of past debates at NPT conferences over the wording of the final declaration.

Inherent in this decision document is the implication that it may need to be updated every five years. This in turn

raises the question of whether the prime focus of future review conferences will be this updating process, rather than the attempt to produce a detailed and comprehensive final declaration reporting by consensus on the work of the conference committees. A subsidiary issue is how such an updating process should be performed—through presidential consultations or through some other method. Since neither decision document specifically addresses the additional reports and recommendations future NPT review conferences and their PrepComs might produce, the whole question of the outputs from them, and to whom they might be directed, is an issue that may need to be considered both before and during the first of the revised NPT PrepComs in 1997.

The yardsticks contained in the principles and objectives decision document are divided into seven specific areas: Universality, Non-Proliferation, Nuclear Disarmament, Nuclear-Weapon-Free Zones, Security Assurances, Safeguards and Peaceful Uses of Nuclear Energy. Examining each in turn may offer some indication of the ability of the revised review process to grapple with near and long-term challenges to the non-proliferation regime.

Universality

The decision document calls upon all non-parties to the NPT, particularly those operating unsafeguarded nuclear facilities, to accede to the Treaty. The latter formulation avoided naming India, Israel and Pakistan in the document, while indicating that those States are the main objects of the plea. The positioning of this objective at the start of the document also has significance, indicating the priority assigned to it by the conference in the light of pressures from Middle Eastern States over Israel and its nuclear-weapon status. An issue that the 1997 PrepCom may choose to address, particularly in view of the Middle East resolutions at

the 1995 conference, is how universality might be achieved in specific regions, and whether the parties collectively should take some initiatives to further this process. One implication of this section is that success will be measured by the number of additional States acceding to the Treaty, and particularly whether any of the three that are identified in the coded diplomatic language of the document can be persuaded to do so.

Non-proliferation

The section on non-proliferation juxtaposes the non-proliferation objectives of the Treaty with the potential for nuclear energy to assist in the economic development of States, particularly developing ones. In so doing, it highlights the inherent tensions between the pursuit of non-proliferation goals and the full exploitation of all the peaceful uses of nuclear energy by non-nuclear-weapon States. However, beyond stating the problem, it is difficult to see how any specific yardsticks are inherent in this statement other than the negative one that a party that proliferated would be seen as a failure for the Treaty.

Nuclear disarmament

This section contains a reaffirmation of the nuclear-weapon States' article VI commitment to pursue in good faith effective measures relating to nuclear disarmament. This is therefore one general yardstick. What then follows are three much more specific objectives. The first of these is the completion of negotiations on a CTBT "no later than 1996". As a subsidiary yardstick in this context, the nuclear-weapon States "should exercise utmost restraint" over nuclear testing. This yardstick is the only one that contains a specific timescale for its achievement, and it thus went some way to meeting demands from the "group of like-minded States" of the

Non-Aligned Movement (NAM) at the Conference for a time-bound framework for disarmament. It should also be viewed in conjunction with the new review process and, more specifically, the 1997 PrepCom.

If no CTBT has been "completed" (i.e., agreed, but not necessarily signed, ratified or in force) by the time the PrepCom convenes, it seems inevitable that the Committee will spend most of its time debating that issue, with many States accusing the nuclear-weapon Powers of not fulfilling their part of the 1995 decision package. Such accusations are already in circulation, following the "utmost restraint" exercised by France, and more particularly China, after the NPT Conference in the conduct of nuclear tests. The consequence of this exercise of "utmost restraint", especially any non-completion of a CTBT, seems likely to be the initiation of the revised review process in a very negative and conflictual climate. Agreement on the text of a CTBT in 1996 thus appears a necessary precondition for any positive and cooperative initiation of the revised review process. For the consequence of the absence of a CTBT might well be two weeks of recriminations, and a singular failure to address in a positive manner the many procedural and other questions that have to be answered if the revised review process is to be launched successfully. Such an outcome would generate renewed uncertainty over the political future of the NPT and the regime, even if its legal future is now secure.

The second specific yardstick is the "immediate commencement and early conclusion" of a convention banning the production of fissile material for nuclear-weapon purposes, in accordance with the contemporary CD mandate. This contains no time target for completion of negotiations. Moreover, some States appear to wish to interpret this as a mandate to cover past production and stockpiles, and it thus remains unclear when substantive negotiations on this subject will commence in Geneva.

The third yardstick is the systematic pursuit of "efforts to reduce nuclear weapons globally, with the ultimate goals of eliminating those weapons". This appears to reiterate the commitment made by the nuclear-weapon States in an earlier paragraph of the statement, though this yardstick has been interpreted as involving global numbers, rather than immediate reductions in the stockpiles of individual nuclear-weapon States (particularly the smaller inventories of weapons held by China, France and the United Kingdom). All States are also enjoined to pursue general and complete disarmament under strict and effective control, though no specific yardsticks, such as limitations on individual types of conventional weapon, are offered for making judgements on this.

This section of the collateral decision document is probably the one that is of greatest significance for the future political strength of the NPT. In particular, it represents the area where the nuclear-weapon States have made their greatest commitments to the non-nuclear weapon parties to the Treaty. It also contains the most specific yardsticks in the entire document. If these commitments are not fulfilled, and in particular, if a CTBT has not been achieved by the time the 1997 PrepCom opens, it is difficult to believe that support for the Treaty will not experience acute political difficulties from that point onwards, not only from the "like-minded States" of the NAM, but also from many previously supportive or acquiescent States in both the Eastern and Western caucus groups. Indeed, one analysis of events at the Conference is that a new international coalition started to emerge among some of the latter States, based on a common interest in persuading their nuclear-weapon neighbours to move in the direction of abolishing their dependence on nuclear weapons. States such as Australia, Canada, Germany, Hungary, Japan, New Zealand, South Africa, Sweden and the Ukraine could well be members of such a coalition. If it became more organized and

powerful, it would probably alter radically the international politics of nuclear disarmament and non-proliferation, and leave the nuclear-weapon States in an isolated position within NPT meetings.

Nuclear-weapon-free zones

The statement on this subject encourages, as a matter of priority, nuclear-weapon-free zones in areas of tension, and specifically mentions the Middle East in this context. It also states that the establishment of additional zones by the time of the review conference in 2000 "would be welcome". Thus the yardsticks for 2000 in this area are the establishment of an additional zone, with the one in Africa most likely to fulfil that requirement, and also, more specifically, one in the Middle East. Finally, since the cooperation of all the nuclear-weapon States is deemed necessary for the maximum effectiveness of such zones,[3] the reduction in the numbers of those nuclear-weapon States not subscribing to the relevant protocols attached to specific NWFZ treaties would probably be regarded as a further yardstick in this connection.

Security assurances

This section of the document states that despite the revised assurances provided by the nuclear-weapon States under Security Council resolution 984 of April 1995, further steps should be considered in this area. Those could take the form of "an internationally legally binding instrument". Thus the yardstick for 2000 in this area appears to be whether such an instrument is in existence.

Safeguards

Statements relating to this subject cover several distinct issues. Largely at Iranian insistence, any State that has

concerns over non-compliance with safeguards is enjoined to offer evidence of this to IAEA for action, rather than make unilateral and public accusations. The clear implication is that the yardstick in this area is that IAEA is the sole body capable of making judgements on these matters, and that any State, including the United States, which continued to make accusations of non-compliance in such circumstances, would be acting contrary to that yardstick. Reducing the number of NPT parties that have not signed and brought into force a safeguards agreement with IAEA is a second distinct yardstick in this area.

Perhaps more significantly, comprehensive IAEA safeguards and an internationally binding legal commitment not to acquire nuclear weapons are now specified as a necessary condition for any new nuclear supply contracts with States not parties to the NPT. This commitment should have the effect of stopping all new nuclear trade with India, Israel and Pakistan, except possibly in safety related items. Thus any NPT party entering into such a contract will be judged to have breached this yardstick. Some concern has been expressed, however, that China could seek to circumvent the yardstick by arguing that future supply agreements are covered by prior arrangements, and hence are not "new".

Finally, nuclear-weapon States are exhorted to place fissile material transferred from military uses under IAEA safeguards. Again, movement in this direction appears to be a specific yardstick against which implementation of the Treaty will be judged.

Peaceful uses of nuclear energy

This section of the decision document contains some specific yardsticks, though on the whole it is expressed in more general language than the others. It exhorts parties both to facilitate the fullest possible exchange of nuclear capabil-

ities for peaceful purposes, and to give preferential treatment to non-nuclear-weapon States, particularly developing ones. Presumably any cases of proven failure to do so would be regarded as a breach of those yardsticks. Although transparency in nuclear-related export controls is to be promoted, no specific yardstick appears to be attached to this or to export controls themselves, and the same applies to the exhortation to all States to apply the highest practicable level of nuclear safety. Similarly, "every effort" is to be made to finance IAEA activities fully, and to encourage the funding of technical assistance through "predictable and assured resources", but no specific targets are offered. Finally, it is stated that attacks, or threats of attack, on peaceful nuclear facilities "could warrant appropriate action in accordance with the provisions of the Charter of the United Nations", which appears to imply that the yardstick here is that such attacks should not occur.

The overall implications of the decision documents

The decisions taken in New York in May 1995 through the medium of the two collateral decision documents have created about twenty specific yardsticks against which progress in implementing, and by implication, strengthening, the nuclear non-proliferation regime can be measured in the future. These yardsticks, and any amendments to them agreed at the NPT review conferences in 2000 and its successors, are intended to facilitate a more focused discussion on nuclear non-proliferation and disarmament issues at future NPT PrepComs and review conferences, especially if the decision were to be taken to divide up the totality of the substantive agenda for the review conferences between the three substantive PrepComs that will precede each review conference. However, whether this can be achieved will depend on consensus being reached in 1997 on how the PrepCom

agendas and schedules of work should be organized, and that in turn may be crucially dependent on the progress made in negotiating a CTBT in 1996.

In substantive terms, the two collateral decision documents and the Middle East resolution are also important for enhancing the significance of universality in the context of the Treaty. This may force its parties to give greater priority to this issue, and the problems posed for regional security and the non-proliferation regime by the existence of States with significant nuclear facilities that have not ratified the NPT or made comparable commitments through regional agreements. Yet those same documents and the 1995 Conference itself also highlighted a reluctance among the parties to face head-on an equally important proliferation threat: States parties to the Treaty that flout the non-proliferation commitments contained in the NPT. Admittedly this issue is a difficult one politically. Issues of non-compliance touch upon delicate aspects of State sovereignty. They can also be interpreted as related to all articles of the NPT, including the nuclear disarmament one, not just articles II and III. This poses difficult dilemmas for the nuclear-weapon States. Yet if no attempt is made to address the issue of non-compliance in a determined way, perhaps through proposals such as a United Nations Security Council proliferation rapporteur or an NPT executive committee on compliance, the Treaty and the regime will be seen to have failed to confront one of the major non-proliferation challenges of the contemporary era. Failure to address vigorously the clandestine smuggling of nuclear material, despite the delicate problems related to State sovereignty that are again involved, could also be viewed in a similar perspective.

One further aspect of the 1995 NPT Conference is that it may have created a new form of disarmament institution or organization that is outside of the United Nations ambit, even though it relies upon it for the provision of conference

facilities. How NPT PrepComs and review conferences will relate to the CD and other United Nations disarmament organs in the future, and what their relationship will be to the fourth United Nations special session on disarmament (UNSSOD IV) tentatively scheduled for the late 1990s, remains uncertain.

The 1995 NPT conference may thus not be remembered in the future solely for its legal decision to continue the commitments contained in the Treaty in perpetuity. Rather, it may be regarded as significant also for the foundations it has laid for a new, and in some areas unclear, process of implementing accountability by all parties for their actions under the Treaty, and of offering an opportunity for more regular monitoring of the functioning of the nuclear non-proliferation regime. Yet the 1997 NPT PrepCom may prove to be equally, if not more, significant than the 1995 NPT Conference in determining whether the concepts of incrementalist, cooperative behaviour and interest politics as against ideology and confrontation, which underlay the indefinite extension of the Treaty in 1995, can be transferred into the ingoing politics of the NPT review process. And, as in 1995, the danger is that an atmosphere of confrontation will make the many procedural issues bequeathed by the 1995 Conference to the 1997 PrepCom even more difficult to resolve. Yet at the same time, there exists the potential for the NPT review process to serve not only as the main forum for discussing new dangers challenging the nuclear non-proliferation regime, but also to act as a positive stimulus for further nuclear disarmament, and a slow merging of nuclear non-proliferation and disarmament processes and mechanisms. The role of the emerging interest-based coalition of industrialized States advocating nuclear disarmament may be crucial in this context.

The international community has only two years, or perhaps less, to seize the new opportunities offered by the revised framework within which the NPT non-proliferation

and disarmament processes can now be reviewed and new initiatives legitimized. It is not difficult to see how the opportunities offered could be squandered. The time to ensure that such an outcome does not occur is short. What is needed is constructive thought, effective prior consultations and strong international political leadership to ensure that this does not occur, and to capitalize upon the positive aspects of the 1995 NPT extension decisions. Above all, however, the completion of a CTBT is a necessary condition for a positive environment in 1997. Without it, the "victory" of the indefinite extension of the NPT gained in May 1995 is likely to prove a hollow and temporary one for the international community.

Notes

1 The text was reproduced in *Disarmament: A periodic review by the United Nations*, vol. XIII, No. 2 (1995), pp. 201–202.

2 Ibid., pp. 203–208.

3 Bearing in mind this fact, France, the United Kingdom and the United States announced on 20 October their intention to sign the relevant protocols of the Treaty of Rarotonga.

Special Feature: Disarmament Week Panel

The comprehensive nuclear-test-ban treaty: A progress report on the negotiations

What progress was made in 1995 on the "rolling text" of the nuclear-test-ban treaty? What work remains to be done on the pending political, technical, organizational and legal issues? What are the prospects for a rapid conclusion of the negotiations in 1996? To respond to those and other questions, the United Nations Centre for Disarmament Affairs, the United Nations Department of Public Information and the NGO Committee on Disarmament organized, as a contribution to Disarmament Week 1995, a panel discussion at the United Nations on 26 October 1995. The discussion featured prominent participants from the negotiations on a comprehensive nuclear-test-ban treaty at the Conference on Disarmament in Geneva.

Among the six panellists were three officers of the Ad Hoc Committee on a Nuclear Test Ban: Ambassador Ludwik Dembinski of Poland, the Chairman of the Ad Hoc Committee on a Nuclear Test Ban; Ambassador Lars Norberg of Sweden, the Chairman of Working Group 1 on Verification; and Ambassador Jaap Ramaker of the Netherlands, the Chairman of Working Group 2 on Legal and Institutional Issues.

The other three panellists were key negotiators in the Conference on Disarmament: Ambassador Joëlle Bourgois of France; Ambassador Stephen Ledogar of the United States; and Ambassador Richard Starr of Australia.

The following special feature constitutes excerpts from the presentations made by the six panellists, and an introduction to the subject by the Moderator of the event, Mr. Sohrab Kheradi, Deputy Director of the Centre for Disarmament Affairs.

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Introductory Remarks by the Moderator

Sohrab Kheradi

Opening the session, the Moderator reminded participants that the Secretary-General of the United Nations, in his report on the work of the Organization to the fiftieth session of the General Assembly, was in a position to characterize in positive terms, for the first time, the progress being made in the negotiations on the comprehensive test-ban treaty (CTBT) at the Conference on Disarmament (CD) in Geneva.[1] The pursuit of a CTBT at the United Nations had a long, and at times, difficult history and has been a prime objective of the United Nations since the 1950s. The General Assembly had adopted scores of resolutions calling for an end to nuclear weapon testing, far more than on other disarmament issues.

The partial test-ban treaty, concluded in 1963, was the first important step taken on the road to a comprehensive ban. Different approaches have been attempted since that time, among them, unilateral moratoriums, trilateral negotiations, multilateral deliberations, treaty amendments and nuclear-weapon-free zones.

In 1968, the States parties to the Nuclear Non-Proliferation Treaty (NPT), under article VI, undertook to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear-arms race at an early date and to

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nuclear disarmament. Afterwards, and in many instances, including within the NPT review process, efforts were made to consider a comprehensive test ban as an essential element in the implementation of that article. The single multilateral negotiating body, the CD, has long been involved with the issue of a test ban. The Ad Hoc Group of Scientific Experts on seismic events was established in 1976, and in 1982 an Ad Hoc Working Group on a Nuclear Test Ban was established with a limited mandate. In 1990 and in the following few years discussions touched upon the major issues of a nuclear-test ban in considerable detail.

On 10 August 1993, the Conference took a landmark decision. On that day, the CD gave its Ad Hoc Committee on a Nuclear Test Ban a mandate to "negotiate intensively a universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty, which would contribute effectively to the prevention of the proliferation of nuclear weapons in all its aspects, to the process of nuclear disarmament and therefore to the enhancement of international peace and security."

The Ad Hoc Committee began those negotiations in January 1994 and has conducted them with the highest degree of commitment to achieving an agreement as soon as possible.

In the document on "Principles and Objectives of Nuclear Non-Proliferation and Disarmament" adopted in New York in May 1995, 175 States parties to the NPT decided that the completion by the CD of the negotiations on a universal and internationally effectively verifiable CTBT no later than 1996 was a goal whose achievement was important to the full realization and effective implementation of article VI of the NPT Treaty.[2]

Steady and significant progress has been achieved recently in the negotiations in the CD both on the political and technical levels. The updated "rolling text" forms part of the

CD's report submitted to the fiftieth session of the General Assembly.[3]

Many difficulties still lie ahead for the Conference on Disarmament to resolve. Without entering into the substance of the negotiations, suffice it to say that some 1,200 brackets will have to be eliminated from the rolling text before the negotiations come to a successful conclusion. To finish the work by a target date in 1996, the CD will have to negotiate with much determination and a great sense of urgency. There seems to be a growing recognition that the Ad hoc Committee might have to adjust its methods of work to match the task at hand.

Events outside the Conference have also contributed to advances in the negotiations. On 20 October 1995, for instance, France, the United Kingdom and the United States announced their respective intentions to sign the relevant protocols to the South Pacific Nuclear Free Zone Treaty—the Treaty of Rarotonga—in the first half of 1996. As you are aware, Protocol 3 of that Treaty is an undertaking not to test any nuclear explosive device anywhere within the South Pacific Nuclear Free Zone. As China and the Russian Federation have already ratified the Protocol, the announcement by France, the United Kingdom and the United States of their signature to it would mean that all the nuclear-weapon States will have undertaken a commitment not to test in that geographical area. That represents yet another indication of the strong determination of the international community, nuclear and non-nuclear-weapons States alike, to reach agreement on a CTBT in 1996.

Notes

1 A/50/1.

2 NPT/CONF.1995/32 (Part I), pp.9–12.

[3] Report of the Conference on Disarmament. *Official Records of the General Assembly, Fiftieth Session,* Supplement No. 27 (A/50/27).

The Negotiating Environment and Results of the Negotiations in 1995

Ludwik Dembinski

As far as the negotiating environment is concerned, the set-up in which the negotiations are conducted is obviously a most important aspect. The Conference on Disarmament (CD) was an organ established at the margins of the United Nations more than 25 years ago. Its composition and procedures reflect a world that does not exist anymore—the triangular world of the cold war, of the Eastern and Western blocs and the non-aligned group of countries.

That situation, as we know, has changed radically; there is no more opposition between the capitalists and the communists, between the western world and the eastern world. The composition of the CD, however, is still based on this cold war structure. That, of course, creates problems for the negotiations. During the cold war there were three distinct positions on any nuclear and other disarmament issue. Now there may be two, 15 or 20 different views. Yet the group structure of the Conference has been maintained and decisions

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require the agreement of those groups that have lost their previous consistency and solidarity.

The second characteristic of the CD is the asymmetry among the States participating in the negotiation. On the one hand, there are the five nuclear Powers (P-5) and, on the other, more than 30 non-nuclear countries. The stakes for the nuclear Powers are different from those of the non-nuclear States. The non-nuclear countries have had no interest in conducting nuclear tests, while the nuclear Powers have had obvious interest. So there is a substantial disparity.[1]

A third aspect of the CD as the single negotiating forum is the decision-making process. The principle inscribed in the rules of procedure of the CD is that all decisions have to be taken by consensus. There are two levels of consensus. There is the consensus at the group level and the consensus at the conference level. First, a consensus has to be reached within the group, and then the groups have to reach consensus among themselves. That creates a certain number of problems. In effect, negotiations are conducted not among individual countries but among groups of countries. For example, if there is no consensus among members of a group, the other groups may not know which country or countries was opposing a particular proposal. That makes it impossible to negotiate with that country on a give and take basis.

The fourth aspect influencing progress in the CTBT negotiations is the method of work. The CD meets for about 24 weeks a year, which is not much. The rest of the time is taken by other activities in the field of disarmament: conferences and review conferences, involving delegations accredited to the CD. For each week during the 24 weeks in which the CD meets, ten half-day meetings have to be divided between the plenary session, the Ad Hoc Committee session, the Working Groups, group consultations, and even smaller groupings as necessary. In effect, time for negotiations is very

limited. If it can be said that progress on the CTBT has been slow, it is not necessarily a question of lack of political will, but simply a lack of time.

I should like to evaluate the results of the CTBT negotiations. There is no doubt that substantial progress has been achieved in 1995. That was due in the first place to a prevailing sense of urgency. Nuclear disarmament is certainly now a practical option. Something must be done with accumulated nuclear arms. The only question is by which means and how to begin. The CTBT is one of the first steps on the road to solving the problem of the accumulation of nuclear weapons.

Secondly, the sense of urgency stems from the results of the NPT Extension Conference, which took place in April/May 1995. The Conference clearly stated that CTBT negotiations had to be completed as soon as possible and that the treaty had to be open for signature sometime in 1996.[2]

Another reason for the progress achieved, in my opinion, was the merits of the inductive as compared with the deductive method, to use a philosophical concept. The inductive or pragmatic approach to the problem of disarmament consists of taking a specific issue and trying to reach agreement on treaty language, hoping that by proceeding from the specific to the general, finally, in some distant future, an agreement will be reached on general nuclear disarmament.

That has been the approach that has prevailed in the CD. The other deductive or ideological approach would consist in first negotiating a general treaty on nuclear disarmament, and only after its adoption, negotiating specific steps for its implementation. As far as the CTBT is concerned, the CD has taken this pragmatic and inductive approach to the negotiations.

The third reason why progress has been achieved on the CTBT is certainly the weight of scientific expertise. When

the negotiations began two years ago, verification seemed to be a purely political problem. When experts on seismic questions began work on verification, serious technical problems came to the surface. It then became obvious that some techniques were absolutely crucial for verification of the treaty, while others were marginal. Thanks to the efforts of the experts, agreement has finally been reached on the four techniques of verification. That certainly is a very important contribution of the experts and of science to the CTBT negotiation.

Fourthly, everyone wants to have a verification system that is as cost effective as possible. The techniques used, the structure of the organization, has to be tailored to the financial possibilities and to the willingness to bear the cost. It is quite obvious that States taking part in the negotiations look at the cost of the operation and take that into account.

What are the difficulties ahead? Agreement has yet to be reached on very important issues. First, the scope. The positions of the major nuclear Powers have become quite close. Agreement has been reached on a zero-yield nuclear-test ban by the United States, France and the United Kingdom. In a recent declaration it seems that the Russian Federation has also agreed on this.[3] So agreement is much closer now than at the beginning of the year.

Another important question is the provision on entry into force. The issue, on the one hand, is not to permit the treaty's entry into force to be held hostage by any one particular country and, on the other, to have the major players—the nuclear Powers—on board.

Agreement is also pending on such crucial issues as the organization, and on-site inspections procedures. To have the treaty by the end of 1996, agreement will have to come rather soon. A number of other issues have the support of just one delegation. For example, the question of peaceful nuclear

explosions, which the President of China spoke about in the General Assembly only a couple of days ago.

On the other hand, we have the rolling text of the treaty, a document of 100 pages, about 1,200 pairs of brackets. You can imagine how difficult from the purely technical point of view it would be to draft a treaty, starting work on those 1,200 brackets, some of them supported by a number of delegations, some just supported by one delegation. Certainly a new approach has to be found between the beginning of the 1996 session and the target date for a final agreed text to be ready for signature some time in the middle of next year.

Note

1 For a list of the member and non-member States that participated in the Conference on Disarmament in 1995, see "Report of the Conference on Disarmament", *Official Records of the General Assembly, Fiftieth Session, Supplement No. 27 (A/50/27), pp. 1 and 3.*

2 NPT/CONF.1995/32 (Part I), pp. 9–12.

3 At a press conference following the summit meeting between Presidents Yeltsin and Clinton in Hyde Park, New York on 23 October 1995—the two Presidents were in New York to commemorate the fiftieth anniversary of the United Nations—President Yeltsin of the Russian Federation announced that his country would work towards a zero-yield threshold test ban.

Verifying the Future Treaty

Lars Norberg

Quite significant breakthroughs have been made in 1995 on the contours, the architecture, of the verification system of the future CTBT.

One basic component of the future verification regime is the international monitoring system (IMS), which consists of detection stations all over the globe. All the information gathered by them is fed into an international data centre whose location has not yet been decided. The data would be processed and distributed to the parties to the treaty. That is the cornerstone, the core, of the whole verification system.

In addition, there will be procedures for on-site inspection. If a country, on the basis of information provided through the IMS, finds that there is a suspicious event, there are provisions for inspection on the site. There is also agreement that the management of the verification system will be done by a secretariat.

The international monitoring system will use four techniques. The technique that is the most important is seismic detection. A breakthrough in the negotiations was

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made a couple of months ago when agreement was reached on the number of primary seismic stations and on their location.

The other techniques agreed upon are hydroacoustic detection, infrasound monitoring and radionuclide monitoring. We have, however, not yet agreed on the number and the locations of stations. We have narrowed down differences, so I am rather confident that we will be able to agree on the location and number of all these detection stations, which will form a pattern all over the globe.

While there is agreement in principle on the international monitoring system, we have been less fortunate in making progress on on-site inspection. One of the problems we are facing is the mechanism for initiating on-site inspection. Some events disappear a short while after their explosion and therefore it is considered important that the inspection team have access to a site immediately, without difficulty. Some countries are not willing to accept an absolute right for the inspectors to visit. They want to reserve the possibility of giving their opinion and stopping an inspection. Here is one example of an issue on which we have not been able to take a political decision yet, but I hope that will be possible in the near future.

In order to promote confidence in the verification system, associated measures have to be agreed upon. For example, there are many chemical explosions in mines that have quite a high yield. To avoid confusing those completely legal explosions with nuclear tests, it is proposed to establish an information system. Those carrying out large chemical explosions should inform the others about that fact in advance to alleviate any unnecessary suspicions.

There will be an expert meeting in Geneva, from 4 to 15 December 1995. Before the CD session starts next year on 22 January 1996, the Ad Hoc Committee will meet for two weeks from 8 to 19 January 1996. I am confident that the

experts will make progress in December so we can take the necessary decisions on the basic components of a verification system.

The question is often asked, is it possible to achieve a CTBT by next year, and what is needed for that objective? Ambassador Dembinski referred to the sense of urgency. It is important and necessary that a sense of urgency prevail in the Committee.

The chairmanships will be changed, and it is important that the transition between the new team that will take over after us works smoothly. There will also be a need for continued very hard work on what I call the "diplomatic factory floor". That means that the negotiators who are dealing with the drafting day after day must work hard and continue their determined efforts.

I also believe another important factor is what I call "negotiation management". We have now a very short time. The negotiations must be organized in a very effective way. Sometimes it is not so easy to know what is the right approach.

By way of illustration: in the verification group we had negotiations with diplomats present and then, if we had a technical problem, we referred the problem to an expert group. But that was a very slow process. So instead we integrated experts in the delegations. We decided that one week, for example, we would deal with radionuclides, and the delegations would be expected to have radionuclide experts in the delegation. If the political negotiations ran into a problem of a technical nature, we said to the technical experts, go out and try to come back in 24 hours with a technical consensus. That worked very well. It was an important reason why we could make quite a number of breakthroughs during the last session of the CD.

It is also possible that the present structure of the negotiation framework has to be modified at a certain stage. I

think that Ambassador Dembinski said that it was not possible to remove 1,200 brackets in the method of work that we have now. Therefore there is need for a new approach. But that is up to the new team of CTBT officers to figure out how best to organize themselves to reach the objective of a CTBT by mid-1996.

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The Organization and Legal Provisions of the Treaty

Jaap Ramaker

When the negotiators made a decision to have two working groups, it was done for practical purposes, but there are many interconnections between the groups. For instance, Ambassador Norberg has been wrestling with the question of verification this year, but when he or his successors will have found the magic formulas, there will have to be an organization to implement those verification measures, once the treaty enters into force. As it happens, everything that has to do with the organization of the future test-ban treaty was in the realm of Working Group 2. As the negotiations progress, there will be a need for even closer cooperation amongst delegations when dealing with questions of verification and the organization.

In the working group, what is basically meant by the word "institutional" is the organization. The legal side of the title of the working group is quite, I think the Americans say, a mixed bag, in the sense that first of all, legal means a number of concepts that are common to all international agreements. They are questions such as the settlement of disputes,

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privileges and immunities of the inspectors, the question of the signature of the treaty, ratification of the treaty, and of accession to the treaty, the depositary, and the authentic texts. Those are legal concepts that you will find in any treaty and that have to be defined.

There are others that are more or less of a legal nature but have a much closer connection with the substance of the negotiation, such as the question of the scope of the treaty. Further, the question of entry into force is not only a purely legal concept, but is linked closely to the substance of the negotiations.

Even the question of procedures to amend the treaty is being looked at very carefully because of its implications for national security.

Progress was made in one sometimes underrated area, that is, duration and withdrawal. Since the middle of 1995, there is now general agreement that the future treaty will be of unlimited duration. That implies that there is no question of a time-frame after which one should consider again the extension of the treaty, as we had with the Non-Proliferation Treaty (NPT). This is going to be a regime that is forever. In dealing with security measures, this is fundamental. It means that governments will have to take into account that what they decide now will be, as it were, irrevocable.

So much has appeared lately in the press concerning the issue of the scope of the test ban, that I will not discuss it further. Suffice it to mention, however, that the announcement made last Monday that Presidents Clinton and Yeltsin had agreed to work together towards a truly zero-yield test-ban treaty is a welcome indication that agreement is closer at hand.

As to the preamble, which reflects the various considerations that delegations have when they decide to conclude the test ban, points of view were still divergent, mainly because of political considerations. In the end,

agreement will be reached, if only because basic agreement already exists in the mandate given to the ad hoc committee for its negotiations. That mandate states that a universal and multilaterally and effectively verifiable comprehensive nuclear-test-ban treaty should contribute effectively to the prevention of the proliferation of nuclear weapons in all its aspects, to the process of nuclear disarmament, and therefore to the enhancement of international peace and security. Those are the parameters in which this whole exercise is taking place. On the legal, substantive part, I believe we are on the right track.

On the institutional part, considerable progress was made this year. At the beginning of the year there were various texts with lots of brackets on the organization of the future treaty. We have now entered the stage where a fairly clear-cut text exists, which outlines the general ideas with regard to the structure of the organization and to the various competencies that will fall to the different organs: the Conference of States Parties, the Executive Council, and the Technical Secretariat, including the international data centre to which all the data will flow from the international monitoring system.

We have a basic understanding of the method of financing this organization, which is very important, and which had been left open until recently. Two issues still need to be decided. First, where the organization will have its seat. As those of you who are familiar with the rolling text of the negotiation will know, the text mentions a possibility, namely, Vienna, Austria. Work has been started, but much remains to be done to determine to what extent and in what manner there could be cooperation between the future organization and the existing agency, the International Atomic Energy Agency (IAEA). Verification of the future CTBT would constitute quite different tasks than currently carried out by the Agency.

Finally, I share the last remarks made by Ambassadors Norberg and Dembinski about the need to maintain the sense of urgency as regards the conclusion of the negotiations in Geneva. There must be a smooth transition in January after the inter-sessional period and the resumption of the negotiations in the Conference on Disarmament on 22 January. Much hard work has to go into those areas where the positions of delegations are still fairly far apart.

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France's Commitment to a CTBT

Joëlle Bourgois

The decision made by France in July 1993 to participate actively in the negotiation of a comprehensive nuclear-test-ban treaty (CTBT) was a very significant step for my country. After having stood aside during years of many talks concerning the prohibition of nuclear testing, it considered that such a treaty, if it was universal, and internationally verifiable, would contribute to nuclear non-proliferation, to a process of nuclear disarmament, and therefore to the achievement of international peace and security.

From the very start of the negotiation, France made clear that while accepting that it would have to put a final end to its nuclear testing, it was its responsibility, as a nuclear-weapon Power, to ensure the safety and the reliability of its weapons. In stressing its responsibility, France repeatedly recalled that the future treaty was about the prohibition of testing, not about the prohibition of nuclear weapons. At the same time, the French delegation to the Conference on Disarmament (CD) stated that the participation in the negotiation was without prejudice to the possibility, before the conclusion of the treaty, of resuming testing, if this was deemed necessary.

The commitment of my country to the negotiation of a complete nuclear-test ban was renewed by the President of the

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Republic when he announced on 13 June 1995 that France, after the last series of nuclear tests, which would end before 31 May 1996, would sign the treaty in 1996. That announcement included two decisions linked to each other: resumption of testing for a limited period of time, which nobody has missed, and the commitment to stop them forever before the completion of a CTBT.

Actually, in order to fulfil the commitment made along with all States Parties to the Non-Proliferation Treaty (NPT) in the Declaration of Principles and Objectives of Nuclear Non-Proliferation and Disarmament, that is, to complete a treaty not later than 1996, France will definitely stop any testing at the end of the current campaign. This means that even before the conclusion, signature, ratification and entry into force of the treaty, France has already committed itself not to conduct any more tests. We contemplate the cessation as definitive, which is why we advocated a treaty of unlimited duration, as the French delegation announced on 20 June 1995. We consider also that the prohibition should be truly comprehensive, that is to say, that the treaty should ban any nuclear-weapon-test explosion or any other nuclear explosion. That means the prohibition of any testing, whatever its yield.

Along with accepting to renounce testing forever, France wants to be sure that all States will abide by the same obligation. That is why we are working in the CD to build a reliable international verification system. We will do our utmost to meet the objective of having a very robust verification regime elaborated in the next few months and operational at entry into force of the treaty.

As you know, the verification regime will have two elements: the international monitoring system (IMS) and the on-site inspection procedure. I want to emphasize that we consider that IMS should provide reliable and equitable

coverage of all the planet in order to monitor all the States parties, including the nuclear-weapon States, in spite of different geological and geographical characteristics. At the same time, in the elaboration of the international monitoring system, considerations of feasibility, time-frame and funding have to be taken into account if we want to get—and we want to get—this treaty in the required time.

Without entering into the details about the French position on the components of IMS, I would like nevertheless to stress that France has proposed to contribute to the system one primary seismic station, one hydroacoustic detection station and three radionuclide detection stations, plus laboratory analyses of the particles. Three more sites have been offered for other radionuclide stations that are not yet operational.

Whatever the performance of such a monitoring system, a truly deterrent verification regime should include the possibility of getting to the site of a suspicious event. That is the only way to get the final evidence of a violation of the treaty. To take into account the basic concerns—the need to arrive at the site as quickly as possible, to use all relevant information and to avoid abusive requests—my country presented in August a compromise position for a procedure for launching an on-site inspection.

The principle is that if the request is based on data obtained from IMS, possibly complemented by other data, the inspection will take place, except if the Executive Council decides against it by a two-thirds majority vote. If the request is based only on data other than those obtained from IMS, launching of the inspection will require the positive decision of the Executive Council. As far as we are concerned, we are prepared to accept intrusiveness, provided that others accept it too. That is why France presented those proposals, because we think there should be a degree of automaticity that we deem

acceptable to everybody and which I assure you will be acceptable to us.

We can now see the light at the end of the tunnel. We know that a lot of work has yet to be done, but the outlines of the final agreement are showing more clearly and significant progress has been made on several substantive issues. We hope that Russia will soon join the so-called zero option. We hope China will join also as soon as possible and that the Australian formula on scope will meet the general consensus.[1]

On the IMS, some more expert work in December will hopefully allow an agreement on the elements of a system. It is true that in two main areas, as I see it, the positions are still very far apart. Those areas are related to the organization and to on-site inspection, but the different options are now well identified, thanks to the work realized during the last session in Geneva. We are confident that the political will, which has been shown up to now, which my country has been among the first to demonstrate, will prevail to give way to a consensus in the months to come. We do feel a sense of urgency and will do our very best to achieve this treaty as soon as possible.

Note

1 CD/NTB/WP.222, put forward by Australia, which reads as follows:

"1. Each State Party undertakes not to carry out any nuclear weapon test explosion or any other nuclear explosion, and to prohibit and prevent any such nuclear explosion at any place under its jurisdiction or control.
"2. Each State Party undertakes, furthermore, to refrain from causing, encouraging, or in any way participating in the carrying out of any nuclear weapon test explosion or any other nuclear explosion."

The Urgency of Completing the Test-Ban Treaty

Stephen Ledogar

I agree with the progress reports of the first three speakers. They also mentioned problems that lie ahead. I would like to concentrate primarily on the problems that lie ahead, and on the United States view that very little time remains for us in this negotiation. While the United States joined with other nations last May at the Non-Proliferation Treaty (NPT) Review and Extension Conference in calling for completion by the Conference on Disarmament (CD) of the comprehensive nuclear-test-ban treaty (CTBT) no later than 1996, we did so reluctantly. We have believed that this matter is more urgent and that we should accelerate the timetable.

Indeed, President Clinton, on 11 August 1995, urged completion of the CTBT negotiations by the end of the first part of the 1996 CD session, that is to say, by the end of March or early April. We believe that is necessary in order to do the remaining technical work so that the treaty is locked up and ready for translation into the six languages, and so that a special resumed session of the General Assembly can be summoned in the summertime, thus allowing for the scheduling and the holding of a signing ceremony in September, concurrent with the fifty-first session of the General Assem-

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bly. That is the timetable we see, and it is in that direction that we are working.

As the representative of a nuclear-weapon State, I should, however, point out that the nuclear-weapon States have a special responsibility in the negotiations, which flows from the very fact that we possess a nuclear-weapon stockpile. As Ambassador Bourgois pointed out, we believe that we have special responsibilities to maintain the safety and reliability of our ever-dwindling nuclear stockpile.

That calls for, in effect, a side negotiation among the nuclear-weapon States because the Ad Hoc Committee is concentrated on what the treaty will prohibit. Nuclear-weapon States are responsible among themselves to reach agreement on what is not prohibited by the treaty as regards their nuclear-weapon stockpiles and as regards other scientific activities.

It is important to recognize that the motivation of the 38 countries that joined together in this negotiation was, and still is, not the same.[1] The majority believes that the banning forever of all nuclear tests in all environments will bring about, and bring about rapidly, the deterioration and the decay of all existing nuclear-weapon stockpiles. As I understand it, all five nuclear-weapon States believe that without testing we can nevertheless maintain for the foreseeable future the viability, the safety and the reliability of our nuclear stockpiles. Many participants are working on this endeavour from somewhat different premises.

All five, as I understand it, believe that this is not only a classic disarmament negotiation, but that it is also a non-proliferation exercise. I believe all five of us agree that a number of other States, besides ourselves, are important to the success of a global ban on nuclear testing of all sorts. Therefore, a corollary is that none of the five of us wishes any of the other five to be left in a privileged position with regard to the reliability of their nuclear weapon stockpiles. A further

corollary is that all five of us regard all five as essential for the entry into force of the treaty.

In order to demonstrate the United States commitment to CTBT and to try and give an impulse to the negotiations, as I mentioned, on 11 August 1995, President Clinton announced the United States intention to seek a true zero-yield CTBT, one that would ban any nuclear-weapon-test explosion or any nuclear explosion, no matter how small. France had already accepted that proposition and the United Kingdom promptly followed the two of us. We have urged the Russians and the Chinese to follow suit.

We therefore welcomed the agreement by President Yeltsin to work for a zero-yield test ban. It appears now that all five nuclear-weapon States are on board. We hope that China's previous proposal for the scope language to call for no nuclear energy release means the same thing as we mean by true zero. Our problem is that China still maintains that there should be provision for so-called peaceful nuclear explosions, a proposition with which, as far as I understand, no other participant agrees. The United States believes that the very concept of a "peaceful nuclear explosion" is an oxymoron. There is no nuclear explosion that does not create more damage, if only to the environment, than it could create good. And there is no nuclear explosion that does not have some possible military implications.

If we are correct, and all five nuclear-weapon States are now working for a true zero-scope text, we hope that that will clarify things and that soon we will be able to resolve some other problems that remain. They include the concept of what it is we are trying to ban, both with particular precision about what will be allowed in terms of simulation, not involving the release of nuclear energy, and the question of how perceived preparations are dealt with, and so forth.

We hope that with the clarification of those scope matters, which, as pointed out, have bedeviled us for some time, we will now be able to move into the end game of the negotiations. We have a great deal of work to do on the verification package, particularly in getting agreement as to the core of a meaningful verification program, namely on-site inspection, that is, how on-site inspections will work and how they will be carried out.

It is our hope that all countries involved will use the period of this autumn to make progress in these matters. As you know, the Conference on Disarmament is effectively finished for 1995, but there are times, such as during the United Nations First Committee session, when some of us work on the side. We hope that all countries will use this period to organize themselves so that at the very beginning of 1996 we can have a great lurch forward and that within three months this text can be wrapped up and ready for processing and signature by September.

Note

[1] For a list of the member and non-member States that participated in the Conference on Disarmament in 1995, see "Report of the Conference on Disarmament", *Official Records of the General Assembly, Fiftieth Session, Supplement No. 27 (A/50/27), pp. 1 and 3.*

Seizing the Political Window of Opportunity

Richard Starr

I must confess I am not sure quite why Australia was invited to participate in this panel. We are not a chair of the Ad Hoc Committee; we are not a nuclear-weapon State. I was interested in a new phrase that I heard from my colleague, Ambassador Lars Norberg, who spoke about the "diplomatic factory floor". Perhaps we are the factory floor representative, you know the type, work hard but make a lot of noise.

And we certainly make noise about the comprehensive nuclear-test-ban treaty (CTBT). It reflects a deeply held national belief that it is an essential element of nuclear disarmament and the nuclear non-proliferation programme. We have made a lot of noise, I might add of course, about resumption and continuation of testing. But we have worked extremely hard in these negotiations to ensure that the negotiators are able to move forward to achieve a result.

I think one of the great problems that we face in this field is the fact that we are engaged in *multilateral* negotiations. All my colleagues have referred to it in one way or another. Countries must participate, they must engage. They must achieve a feasible result. Those elements are hard to bring together in a comparatively short time.

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I know that to people who have looked with high expectations and hopes to Geneva, two years seems a long time. But in terms of negotiating multilateral agreements, it is comparatively short. I don't say this, however, to indicate that we should extend the period. We believe firmly that we have a window of opportunity. I know it is a hackneyed phrase, but the political calendars of the world, the political processes of the world, don't stand still. At this point we have a commitment to get a CTBT. We must seize it.

My colleague from the United States spoke of the urgency with which his country is approaching these negotiations, and I think that goes for everyone here. It is essential that in approaching 1996 we have a clear idea of the need to complete the negotiations. We have this fine fuzzy statement from the Non-Proliferation Treaty (NPT) Extension process that says we will complete it no later than 1996. Within days of that being adopted I heard some of my colleagues talking about "well, we have until 31 December". That illustrates the problems.

We do *not* have until 31 December. If we take all of 1996, we will drift into 1997, and we may never complete it in 1997. We must, and I am addressing the countries of the Conference on Disarmament (CD), adopt firm time-frames. We must set targets that are realistic and firm in bringing this to conclusion.

I have to confess I am delighted in not being one of the chairs for 1996. They have an enormous responsibility and a huge burden to manage an unwieldy process and produce results within a time-frame, but this must be done if we are going to get results.

My colleagues have gone over all of the various issues. The difficulties are well known. They can be resolved; the decisions can be made, the process can be brought together, if the commitment is there among the various

countries. It must not be allowed to slip through any sense of complacency regarding the timing available in 1996.

One last observation: the non-governmental organization (NGO) community—you and your colleagues throughout the world—plays an important role. It is clear that the CD will not achieve results unless the high expectations of the world are maintained—noisily. The representatives sitting solemnly and negotiating those 104 pages and 1,200 brackets in Geneva know that, and know that if they do not achieve a result in 1996, there will be hell to pay.

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BOOKS RECEIVED

The following short summaries cover books received by the Centre for Disarmament Affairs that are of particular interest in the field of arms reduction and disarmament. Books relating to broader topics of international peace and security are listed after the summaries.

Materials received are maintained in a permanent collection in the Centre for Disarmament Affairs Reference Library for the use of diplomats, staff members of the United Nations, participants in the Disarmament Fellowship Programme, students, and members of research institutes and non-governmental organizations interested in the field of arms control, disarmament and international peace and security.

The Centre for Disarmament Affairs wishes to thank the publishers, institutions and organizations for their continued collaboration with its Library.

Anti-Personnel Mines: Controlling the Plague of 'Butterflies'. Paul Cornish. London, The Royal Institute of International Affairs, 1994. 38 p.

This discussion paper reviews the many dimensions of the issue of anti-personnel land-mines. It examines the technical, military, ethical and legal aspects of the question and summarizes the origins, course and content of the AP land-mines campaign.

Controlling the International Transfer of Weaponry and Related Technology. David Carlton, Mirco Elena, Klaus Gottstein and Paul Ingram, eds. Brookfield, Vermont, Dartmouth Publishing Company, 1995. 231 p.

The articles in this book first appeared as lectures in a series of courses offered by the International School on Disarmament and Research on Conflicts (ISODARCO) in 1992 and 1993. Twelve chapters by eminent authors in the field of international security and disarmament are devoted to a wide-ranging debate on the issue of arms transfers, including on the UN Register of Conventional Arms and its antecedents.

Dictionary of Alternative Defense. Bjørn Møller. Boulder, Colorado, Lynne Rienner Publishers, 1995. 553 p.

This one-volume dictionary (in encyclopedic form) provides a broad range of annotated terminologies on alternative defence. The first part is a short introduction to the subject; the second encompasses such entries as persons, groups, organizations, countries, regions, events, concepts and theoretical constructions of alternative defence; the third part is a bibliography.

NATO in the Post–Cold War Era: Does It Have A Future? S. Victor Papacosma and Mary Ann Heiss, eds. New York, St. Martin's Press, 1995. 356 p.

An analysis of NATO's diverse problems and its relationships with other institutions allows the authors to postulate the possible future of NATO in the post–cold war era. The fifteen papers in this volume were drawn from a conference organized by the Lyman L. Lemnister Center for NATO, in April 1994.

North Korea and the Bomb: A Case Study in Nonproliferation. Michael J. Mazarr. New York, St. Martin's Press, 1995. 290 p.

This case study, based upon the author's personal research and interviews, details the international effort to dissuade the Democratic People's Republic of Korea from acquiring nuclear weapons. The book thus offers an examination of the concept of nuclear non-proliferation as applied to the particular case of the first country ever to have announced, and then renounced, a withdrawal from the Nuclear Non-Proliferation Treaty.

Nuclear Politics in South Asia: In Search of an Alternative Paradigm. B. M. Jain. New Delhi, India, Rawat Publications, 1994. 199 p.

A detailed analysis of nuclear policy in South Asia is presented in the context of a psycho-cultural paradigm for regional nuclear politics. That paradigm is constructed from a study of the sociology of South Asian politics, the culture of mass psychology, and the political culture that impinges upon nuclear decision-making in the region.

Regional Conflicts: The Challenge to US-Russian Co-operation. James E. Goodby, ed. New York, Oxford University Press, in association with the Stockholm

International Peace Research Institute (SIPRI), 1995. 251 p.

In this examination of regional conflicts the ten authors point to the challenges that lie ahead for United States–Russian partnership in the field of security, including preventive diplomacy, arms control and technology transfers. The book is the second volume of a two-part study on international security issues in the post–cold war era undertaken by the Program on International Peace and Security at Carnegie Mellon University and SIPRI.

Reshaping European Defence. Trevor Taylor, ed. London, The Royal Institute of International Affairs, 1994. 120 p.

Written by six members of the European Strategy Group, a variety of articles analyse the way in which several countries of the European Union are reshaping their defence policies and military forces in reaction to the end of the cold war. They analyse the way those processes of change complement each other and how they might be conducive to the harmonization of European Union security policies envisaged by the Maastricht Treaty.

Taking Stock: The UN Register After Two Years. Malcolm Chalmers and Owen Greene. Boulder, Colorado, Westview Press, in association with the University of Bradford, 1995. 288 p. (Bradford Arms Register Studies No. 5)

The fifth in a series of studies by the authors on the UN Register of Conventional Arms, this work delivers in-depth data and information on the first two years of the Register's operation. It not only takes stock of progress made but also tackles such forward-looking questions as the prospects and priorities for further development of the Register and its significance to international security.

The Technology of Killing: A Military and Political History of Antipersonnel Weapons. Eric Prokosch. Atlantic Highlands, New Jersey, Zed Books, 1995. 224 p.

This book provides a military and political history of anti-personnel weapons by assessing the development and impact of those weapons during the Second World War and the wars in Korea and Viet Nam. The author also examines the legal scope of the 1980 Convention on Certain Conventional Weapons, particularly the

land-mines Protocol. Discussed are possible ways of strengthening the current bans and controls over anti-personnel weapons through international law.

The UN Inspections in Iraq: Lessons for On-Site Verification. Kathleen C. Bailey. Boulder, Colorado, Westview Press, 1995. 151 p.

This author describes and analyses the problems faced by the UN Special Commission (UNSCOM) in pursuit of its mandate to inspect and destroy Iraqi weapons of mass destruction. Drawing from those experiences, some lessons relevant for future verification efforts are presented.

Beyond Traditional Peacekeeping. Donald C. F. Daniel and Bradd C. Hayes, eds. New York, St. Martin's Press, 1995. 320 p.

Engaging Russia. Robert D. Blackwill, Rodric Braithwaite and Akihiko Tanaka. New York, The Trilateral Commission, 1995. 139 p. (A Report to the Trilateral Commission: 46)

The Future of European Security: An Interim Assessment. Catherine McArdle Kelleher. Washington, D.C., The Brookings Institution, 1995. 216 p.

The Soviet Nuclear Weapon Legacy. Marco de Andreis and Francesco Calogero. New York, Oxford University Press, in association with the Stockholm International Peace Research Institute (SIPRI), 1995. 130 p. (SIPRI Research Report No.10)

The United Nations in the Post–Cold War Era. Karen A. Mingst and Margaret P. Karns. Boulder, Colorado, Westview Press, 1995. 208 p. (Dilemmas in World Politics Series)

The United States and the Use of Force in the Post–Cold War Era. An Aspen Strategy Group Report Queenstown, Maryland, The Aspen Institute, 1995. 289 p.

Recent and Forthcoming Publications from the Centre for Disarmament Affairs, Department of Public Information and UNIDIR

Centre for Disarmament Affairs

Disarmament Newsletter

August 1995—Volume 13, Number 1

Topical Papers

Number 21: *Disarmament in the Last Half Century and Its Future Prospects.* Proceedings of a conference held in Nagasaki, Japan, 12–16 June 1995 (Sales No. E.96.IX.2)

Department of Public Information

Chemical Weapons Convention, Questions and Answers (Update in English and French) (forthcoming)

In collaboration with the Centre

Ending Reliance on Nuclear and Conventional Arms. Excerpts from the panel discussions organized by the NGO Committee on Disarmament, Inc. at the Disarmament Week Symposium, 25–27 October 1994 in New York, and of the panel discussion on *The Land-mines Crisis,* 16 November 1994 in New York (Sales No. E.95.IX.4)

United Nations Institute for Disarmament Research (UNIDIR)

Research Reports

Building Confidence in Outer Space Activities: CSBMs and Earth-to-Space Monitoring, by Pericles Gasparini Alves (ed.), 1995, 357 p. (published for UNIDIR by Dartmouth (Aldershot) (forthcoming))

Disarmament and Conflict Resolution Project – Managing Arms in Peace Processes: Somalia, by Clement Adibe, 1995, 242 p. (United Nations publication, Sales No. GV.E.95.0.20)

Disarmament and Conflict Resolution Project – Managing Arms in Peace Processes: Rhodesia/Zimbabwe, by Jeremy Ginifer, 1995, 127 p. (United Nations publication, Sales No. GV.E.95.0.28)

Research Papers

No. 35—*The Missing Link? Nuclear Proliferation and the International Mobility of Russian Nuclear Experts*, by Dorothy S. Zinberg, 1995, 45 p. (United Nations publication, Sales No. GV.E.95.0.18)

No. 36—*Guardian Soldier: On the Future Role and Use of Armed Forces*, by Gustav Däniker, 1995, 141 p. (United Nations publication, Sales No. GV.E.95.0.19)

No. 37—*National Threat Perceptions in the Middle East*, by James Leonard, Shmuel Limone, Abdel Monem Said Aly, Yezid Sayigh, the Center for Strategic Studies (University of Jordan), Abdulhay Sayed and Saleh Al-Mani, 1995, 109 p. (United Nations publication, Sales No. GV.E.95.0.24)

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